

CR No. 6767 of 2005

(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No. 6767 of 2005

Date of Decision: 13.11.2006

Brij Pal

...Petitioner

Versus

Multan Singh and another

....Respondents

Coram: Hon'ble Mr. Justice Hemant Gupta.

Present: Shri R.M. Singh, Advocate, for the petitioner.

JUDGMENT

The defendant-Brij Pal is in revision petition aggrieved against the order passed by the Courts below, whereby ad-interim injunction has been granted against the defendants not to dispossess the plaintiff, except in due course of law, as it has been found that the plaintiff is recorded in possession in the revenue record, such as Jamabandis for the years 1997-98 and 1982-83 as well as Khasra Girdawaris with effect from 24.10.2002 to 21.3.2003.

The argument that the plaintiff is not a tenant as there is no entry in column No. 9 regarding payment of rent, is not tenable. The fact that the plaintiff is recorded as a person in possession in the Jamabandis and Khasra Girdawaris is not in dispute. Whether such possession is in the capacity of tenant or otherwise, is a question which cannot be gone into at this stage and the same is to be determined on the basis of evidence, which may be led by the parties.

Consequently, I do not find any patent illegality or irregularity

CR No. 6767 of 2005

(2)

in the impugned order, which may warrant interference by this Court in exercise of its revisional jurisdiction.

Hence, the present revision petition is dismissed.

13-11-2006
ds

(HEMANT GUPTA)
JUDGE